

REMARKS/ARGUMENTS

Claims 1-111 are pending in this Application.

Claims 1-111 remain pending in the Application after entry of this Amendment.

No new matter has been entered.

In the Office Action, claims 1-2, 4-5, 13-15, 17, 37, 40-41, 43-44, 2-54, 56, 76-77, 79-80, 88-90 and 92 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,567,980 to Jain et al. (hereinafter "Jain"). Claims 3, 6-7, 9-12, 18-36, 38-39, 42, 45-46, 48-51, 57-75, 78, 81-82, 84-87 and 93-111 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Jain. Claims 8, 16, 47, 55, 83, and 91 stand objected to as being dependent upon a rejected base claim, but otherwise allowable.

Allowable Subject Matter

Applicant wishes to thank the Examiner for the indication of allowable subject matter recited in claims 8, 16, 47, 55, 83, and 91.

Claim Rejections Under 35 U.S. C. § 102(e)

Applicant respectfully traverses the rejections and requests reconsideration and withdrawal of the rejections under 35 U.S.C. § 102(e) based on Jain. To anticipate a pending claim, a prior art reference must provide, either expressly or inherently, each and every limitation of the pending claim. (M.P.E.P. § 2131).

In light of the above-recited requirements, Applicants respectfully submit that the Office Action fails to present sufficient evidence supporting a prima facie case of anticipation, as Jain fails to disclose at least one of the claimed limitations recited in each of the corresponding claims.

Claim 1

Claim 1 substantively recites, in part:

- *displaying in a first area of a GUI a representation of multimedia information having first and second types of information*

- *displaying a first lens covering a portion of the first area*
- *displaying in a second area of the GUI portions of the first and second types of information of the multimedia information in the first area that are covered by the first lens*

The information displayed in the second area depends on the portion in the first area that is covered by the first lens. Moreover, the second area presents portions of the first and second types of information.

In the Office Action, the Examiner has made the following associations between recited features of claim 1 and Jain:

- 1) *first area* $\leftarrow \rightarrow$ FIG. 2, live video panel 172
- 2) *first lens* $\leftarrow \rightarrow$ FIG. 2, “the first lens covers the frame 172”
- 3) *second area* $\leftarrow \rightarrow$ FIG. 2, keyframe panel 176

Jain discloses in FIG.2, a panel 172 of a GUI that displays live video being digitized, with play, stop, etc. controls that interact remotely with the analog source via a deck controller. (Jain: Col. 4, lines 26-28). Jain also discloses that keyframes (i.e., still-images only) extracted during the capture process are displayed in a panel 176, while text and time-codes are displayed in a separate panel 178. (Jain: Col. 4, lines 29-31).

Applicant submits that Jain fails to teach or suggest that information displayed in a second area depends on the portion in a first area that is covered by a first lens as recited in claim 1. The Office Action alleges that the first lens covers the frame 172. However, Applicant respectfully disagrees. Nowhere does Jain disclose, teach, suggest, or even enable a first lens as recited in claim 1.

Applicant submits that one ordinarily skilled in the art would not understand Jain’s FIG. 2 to teach or suggest a first lens as recited in claim 1 covering the panel 172. A visual inspection of FIG. 2 of Jain shows that a panel 172 of a GUI includes a box for displaying live video and buttons that appear to represent controls of a VCR. The panel 172 of Jain further shows a white box with potentially fuzzy letters and a dark box with unrecognizable features.

Applicant further submits that Jain’s written description associated with panel 172 of FIG. 2 provides that the panel 172 displays live video being digitized, with play, stop, etc.

controls that interact remotely with the analog source via a deck controller. (Jain: Col. 4, lines 26-28). Jain's written description of panel 172 does not teach or suggest the first lens as recited in claim 1.

Furthermore, Jain's written description of panel 172 does not support the assertion in the Office Action that a first lens as recited in claim 1 covers the panel 172. The Office Actions fails to identify elements of FIG. 2 or any portion of Jain's specification which teach or suggest that a portion of the panel 172 is covered by a first lens as recited in claim 1. Applicant agrees that pictures and drawings may be sufficiently enabling to put the public in the possession of the article pictured, and thus be used as prior art. However, the picture must show all the claimed structural features and how they are put together. Jockmus v. Leviton, 28 F.2d 812 (2d Cir. 1928). FIG. 2 fails to show the first lens as recited in claim 1. Moreover, the associated description for panel 172 of FIG.2 in Jain as discussed above does not support the reasoning in the Office Action, and has nothing to do with a first lens as recited in claim 1.

Applicant also submits that Jain fails to teach or suggest the feature of "displaying, in a second area of the GUI, a representation of multimedia information displayed in the first portion of the first area, the representation of multimedia information displayed in the second area comprising a portion of the representation of information of the first type covered by the first lens and a portion of the representation of information of the second type covered by the first lens" as recited in claim 1. As discussed in response to the previous Office Action, panel 176 of Jain does not display a portion of multimedia information of a first type and a portion of the multimedia information of a second type as recited in claim 1. Assuming, arguendo, that the assertion by the Office Action that the first lens covers the panel 172 is correct, which Applicant submits is not, the panel 176 still fails to teach or suggest a second area as recited in claim 1 that presents portions of the first and second types of information covered by the first lens.

Instead, panel 176 of Jain is defined by the collection of keyframes extracted during the capture process. Jain clearly discloses that information (e.g., closed-captioning and time codes) different from the keyframes displayed in the panel 176 is displayed in panel 178, which is completely separate from panel 176. Thus, Jain's written description only supports that the panel 176 displays keyframes, and not a second type of information as required in claim 1.

The panel 176 of Jain fails to teach or suggest the display of a portion of multimedia information of a first type and a portion of the multimedia information of a second type as recited in claim 1.

Accordingly, Applicant submits that Jain fails to teach or suggest each and every claimed limitation of claim 1. Thus, for any of the foregoing reasons, Applicant submits that claim 1 is allowable over Jain.

Claim Rejections Under 35 U.S. C. § 103(a)

Applicant respectfully traverses the rejections and requests reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) based on Jain. Applicants respectfully submit that a prima facie case of obviousness has not been established by the evidence presented in the Office Action. In order to establish a prima facie showing of obviousness, three requirements must be satisfied: all limitations of a pending claim must be expressly or impliedly disclosed by prior art references; there must be a suggestion or motivation in the art for the ordinarily skilled artisan to combine the limitations; and there must be a reasonable expectation of success in making such a combination. (M.P.E.P. § 2143). As for the claims rejected under 35 U.S.C. § 103(a), Jain was relied on for allegedly disclosing the foregoing features recited in the corresponding claims. Accordingly, Applicant submits that as Jain fails to teach or suggest at least the foregoing features recited in the corresponding claims as discussed above, the rejections under 35 U.S.C. § 103(a) have been overcome.

Claims 2-111

Applicants submit that independent claims 18, 28, 37-40, 57, 67, 76, 93, and 103 are allowable for at least a similar rationale as discussed above for the allowability of claim 1, and others. Applicants submit that dependent claims 2-17, 19-27, 29-36, 41-56, 58-66, 68-75, 77-92, 94-102, and 104-111 that depend directly and/or indirectly from the independent claims 1, 18, 28, 40, 57, 67, 76, 93, and 103 respectively, are also allowable for at least a similar rationale as discussed above for the allowability of the independent claims. Applicants further submit that the dependent claims recite additional features that make the dependent claims allowable for additional reasons.

Appl. No. 10/081,129
Amdt. dated January 8, 2007
Reply to Office Action of August 9, 2006

PATENT

CONCLUSION

In view of the foregoing, Applicant believes all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sean F. Parmenter", with a long horizontal flourish extending to the right.

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